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AO 93 (Rev. 5/85) Search Warrant

FILED
08 MAR 14 PM 2:40
U.S. DISTRICT COURT
DISTRICT OF CALIFORNIA
BY: DEPUTY

ORDERED UNSEALED BY COURT

United States District Court

FOR THE SOUTHERN DISTRICT OF CALIFORNIA

In the Matter of the Search of
(Name, address or brief description of the person or property to be searched))

GALLOWAY PHARMACY
2995 NATIONAL AVENUE
SAN DIEGO, CA

SEARCH WARRANT

CASE NUMBER: '08 MJ 0696

TO: Any Special Agent of the Federal Bureau of Investigation and any Authorized Officer of the United States

Affidavit(s) having been made before me by FBI Special Agent Gerald K. Cook who has reason to
Affiant

believe that ☐ on the person of or ☑ on the premises know as (name, description and/or location)

See Attachment A.

in the SOUTHERN District of CALIFORNIA there is now concealed a certain person or property, namely (describe the person or property)
See Attachment B - which constitutes (1) evidence of drug trafficking offenses under 21 USC 841(a)(1), 843(b) and 846, and money laundering offenses under 18 U.S.C. 1956, (2) contraband, fruits of a crime, or other items illegally possessed, and/or (3) property designed for used, intended for use, or used in committing crimes.
I am satisfied that the affidavit(s) and any record testimony establish probable cause to believe that the person or property so described is now concealed on the person or premises above-described and establish grounds for the issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before 3/15/08
Date

(not to exceed 10 days) the person or place named above for the person or property specified, serving this warrant and making the search (in the daytime--6:00 A.M. to 10:00 P.M.) (~~at any time in the day or night as I find reasonable cause has been established~~), and if the person or property be found there to seize same, leaving a copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or property seized and promptly return this warrant to Hon. Cathy Ann Bencivengo, U.S. Magistrate Judge as required by law.
U.S. Judge or Magistrate

March 5, 2008 at 3:55 ~~a.m.~~/p.m. at San Diego, California
Date and Time Issued — City and State

Cathy Ann Bencivengo, U.S. Magistrate Judge
Name and Title of Judicial Officer

[signature]
Signature of Judicial Officer

ATTACHMENT A

DESCRIPTION OF PROPERTY TO BE SEARCHED

The premises known as Galloway Pharmacy located at 2995 National Avenue San Diego, California, is a single story business located on the southwest corner of National Avenue and S. 30th Street. The premises at 2995 National Avenue has a stone exterior on the north and east sides of the building with a light green colored exterior on the south side of the business. "Galloway Pharmacy" signs are located at the top of the north and east sides of the business. The front entrance is located on the north side of the business in between two sets of windows. The rear entrance is located on the south side of the business with a concrete ramp leading up to the door. The words "Employee Entrance Only" are painted above the rear door on the south side of the business. An Image of the premises is provided below.

The search shall include all rooms, attics, crawl spaces, safes, briefcases, storage areas, containers, garages, sheds, carports, storage facilities and containers such as safes, vaults, file cabinets, drawers, luggage, briefcases, valises, boxes, jewelry boxes, cans, bags, purses, and trash cans.

Galloway Pharmacy

ATTACHMENT B

ITEMS TO BE SEIZED

1. Records and documents relating to the purchase, dispensation, administration, prescription or distribution of controlled substances required to be maintained pursuant to Title 21, C.F.R., Section 1302 et seq.

2. Documents containing data reflecting or memorializing the ordering, possession, purchase, storage, distribution, transportation and sale of controlled substances, including buyer lists, seller lists, pay-owe sheets, records of sales, log books, drug ledgers, personal telephone/address books containing the names of purchasers and suppliers of controlled substances, electronic organizers, Rolodexes, telephone bills, telephone answering pads, bank and financial records, and storage records, such as storage locker receipts and safety deposit box rental records and key.

3. Prescriptions;

4. Patient information, files, records and ledgers reflecting any corresponding medical purpose for said prescriptions;

5. Documents containing data reflecting or memorializing prescriptions for controlled substances.

6. Documents containing data reflecting or memorializing billing to health care benefit programs, or payment for health care benefits received from, or associated with, health care benefit programs, including communications to, or received from, health care benefit programs.

7. Employee records including time sheets, employment history records, salary or wage records, and records or data memorializing access to the premises by employees or other persons.

8. Documents or other records memorializing communications between employees, customers suppliers or others persons associated with the operation or ownership of the premises.

9. Documents and articles of personal property reflecting the identity of persons occupying, possessing, residing in, owning, frequenting or controlling the premises to be searched or property therein, including keys, rental agreements and records, property acquisition records, utility bills and receipts, photographs, answering machine tape recordings, telephone, vehicle and/or vessel records, canceled mail envelopes, correspondence, financial documents such as tax returns, bank records, safety deposit box records, canceled checks, and other records of income and expenditure, credit card records, travel documents, personal identification documents and documents relating to obtaining false identification including birth certificates, drivers license, immigration cards and other forms of identification which the same would use other names and identities other than his or her own.

10. Photographs and video and audio recordings which document persons occupying, possessing, residing in, frequenting, or controlling the premises or which document an association with other coconspirators and/or which display narcotics, firearms, or money and proceeds from narcotics transactions.

11. Packages and contents that were delivered to the premises, or were about to be sent by the occupants.

12. Devices, supplies, equipment or items used in, or the product of, the re-packaging of pharmaceuticals, to include empty tablet containers, caps, seals, bottle labeling devices, seal presses, and pharmaceutical bottles bearing indications of tampering.

13. Shipping and receiving documents relating to the delivery of packages.

14. Banking and financial institution records, bank statements, credit card statements, canceled checks, money orders, deposit slips, orders for or receipt of money transfer by wire, checking and saving books, financial institution statements, safe deposit boxes, loan statements, tax returns, business and personal ledgers, and accounting records.

15. Records relating to the lease of storage lockers, telephone/address directories and other papers containing telephone numbers and addresses.

16. Records related to the purchase of real estate, vehicles, precious metals, jewelry and other tangible assets.

17. Digital storage devices including: floppy disk, CD ROMS, DVD ROMS, magnetic tapes, magnet optical cartridges, personal digital assistance, pagers, money chips, thumb drives, jump drives, flash drives, portable hard drives and computers containing hard drives. All electronic devices, such as computers, which include the central processing units, internal and external devices, internal and external storage equipment or media, terminals or video display units, together with peripheral equipment, such as keyboards, printers, modems, and programmable telephone dialing devices, and operating system software, program software, applications software, manuals for the software and hardware, electronic organizers, or personal digital assistants and computer discs and CD's, cellular telephones and SIM cards. All seized computers shall be returned to the defendants or the defendant's agent within 10 calendar days. If agents need more time than 10 days to complete the mirror imaging, the Government will seek from the Court an extension of time within which to return the applicable devices and/or equipment.

AO 93 (Rev. 2/90) Search Warrant

RETURN

DATE WARRANT RECEIVED	DATE AND TIME WARRANT EXECUTED	COPY OF WARRANT AND RECEIPT FOR ITEMS LEFT WITH
3/5/08	3/6/08, 9:00am	Left at site (Galloway Pharmacy)

INVENTORY MADE IN THE PRESENCE OF

INVENTORY OF PERSON OR PROPERTY TAKEN PURSUANT TO THE WARRANT

See attached copies of DEA 12's (receipts for items seized).

CERTIFICATION

I swear that this inventory is true and detailed account of the person or property taken by me on the warrant.

[signature]

Subcribed, sworn to, and returned before me this date.

[signature] 3/11/08

U.S. Judge or Magistrate Date

CATHY ANN BENCIVENGO
U.S. MAGISTRATE JUDGE

U.S. DEPARTMENT OF JUSTICE - DRUG ENFORCEMENT ADMINISTRATION

RECEIPT FOR CASH OR OTHER ITEMS

TO: (Name, Title, Address (including ZIP CODE), if applicable)

GALLOWAY PHARMACY
2995 NATIONAL AVE
SAN DIEGO, CA 92113
DEA #BG4336461

FILE NO.

G-DEP IDENTIFIER

FILE TITLE

DATE
03-06-2008

DIVISION/DISTRICT OFFICE

DEA / SAN DIEGO FIELD DIVISION

I hereby acknowledge receipt of the following described cash or other item(s), which was given into my custody by the above named individual.

AMOUNT or QUANTITY	DESCRIPTION OF ITEM(S)	PURPOSE (If Applicable)
~~11~~	~~BOXES OF C/S DRUG INVENTORY.~~ SEE 666	PURSUANT TO IMMEDIATE
	~~ATTACHED INVENTORY SHEETS FOR DETAILS~~	SUSPENSION ORDER (ISO) OF
	~~NUMEROUS WHOLESALER INVOICES FOR TIME~~	PHARMACY REGISTRATION
	~~PERIOD 12/31/2007 to 03/05/2008~~	AND/OR SEARCH WARRANT
FOUR (4) FOLDERS	DEA-222 ORDER FORMS FOR TIME PERIOD	
	7/19/2005 TO 03/03/2008	
1	LETTER FROM REVERSE DISTRIBUTORS INC	
	WITH LIST OF RECENT RETURNS-DTD 10-4-07	
1	CSOS SIGNING DEA CERT DTD 1-16-08	
4	COPIES OF COMPUTER-GENERATED DEA CERT	
THREE (3)	INVENTORIES DATD 7/21/05, 7/25/07 & 2/24	/2006
17	UNUSED DEA-222 ORDER FORMS	
3 Boxes	CONTROLLED SUBSTANCE PRESCRIPTION RECORD	
	07/20/05 thru 03/05/08	

RECEIVED BY (Signature)	NAME AND TITLE (Print or Type)
	Lucia Bartolomeo, DI

WITNESSED BY (Signature)	NAME AND TITLE (Print or Type)
	Ron Crabtree D/I

FORM DEA-12 (8-02) *Previous editions obsolete* Electronic Form Version Designed in JetForm 5.2 Version

U.S. DEPARTMENT OF JUSTICE - DRUG ENFORCEMENT ADMINISTRATION

RECEIPT FOR CASH OR OTHER ITEMS

TO: (Name, Title, Address (including ZIP CODE), if applicable)

GALLOWAY PHARMACY
2995 NATIONAL AVE
SAN DIEGO, CA 92113
DEA #BG4336461

FILE NO.

G-DEP IDENTIFIER

FILE TITLE

DATE
03-06-2008

DIVISION/DISTRICT OFFICE

DEA / SAN DIEGO FIELD DIVISION

I hereby acknowledge receipt of the following described cash or other item(s), which was given into my custody by the above named individual.

AMOUNT or QUANTITY	DESCRIPTION OF ITEM(S)	PURPOSE (If Applicable)
13 BINDERS	DAILY DISPENSING RECORDS FOR TIME	PURSUANT TO IMMEDIATE
	PERIOD 7/2005 TO 7/2006 AND	SUSPENSION ORDER (ISO) OF
	NUMEROUS DAILY DISPENSING RECORDS FOR	PHARMACY REGISTRATION
	TIME PERIOD 1/2007 TO 3/5/2007	AND SEARCH WARRANT

AB
3/6/08

RECEIVED BY (Signature)

NAME AND TITLE (Print or Type)
Lucia Bartolomeo, DI

WITNESSED BY (Signature)

NAME AND TITLE (Print or Type)
[illegible]

FORM DEA-12 (8-02) *Previous editions obsolete*

Electronic Form Version Designed in JetForm 5.2 Version

U.S. DEPARTMENT OF JUSTICE - DRUG ENFORCEMENT ADMINISTRATION

RECEIPT FOR CASH OR OTHER ITEMS

TO: (Name, Title, Address (including ZIP CODE), if applicable)

MR. BABAK, PHARMACIST

FILE NO:

G-DEP IDENTIFIER

FILE TITLE

DATE 3-6-08

DIVISION/DISTRICT OFFICE

I hereby acknowledge receipt of the following described cash or other item(s), which was given into my custody by the above named individual.

AMOUNT or QUANTITY	DESCRIPTION OF ITEM(S)	PURPOSE (If Applicable)
1	MOTOROLA TELEPHONE	
1	MISCELLANEOUS	
	NOTES & PAPERWORK	
	TAKEN FROM JOSE	
	SAENZ' WORK STATION	
1	2005, 2006, & 2007	
	TAX RETURNS FOR	
	GALLOWAY, INC.	
1	2006 TAX RETURN	
	FOR FADI W & SAWSAN	
	I. ATIYA	
1	UNION BANK MORTGAGE	
	LOAN STATEMENT - FADI ATIYA 12/20/06	

RECEIVED BY (Signature)

[signature]

NAME AND TITLE (Print or Type)

DAVID J. LURTY SA

WITNESSED BY (Signature)

NAME AND TITLE (Print or Type)

FORM DEA-12 (9-00) *Previous editions obsolete*

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